



## UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE  
United States Patent and Trademark Office  
Address: COMMISSIONER FOR PATENTS  
P.O. Box 1459  
Alexandria, Virginia 22313-1450  
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/091,065	03/04/2002	Anders Vinberg	063170.7028	8010
5073	7590	02/10/2009		
BAKER BOTTS L.L.P. 2001 ROSS AVENUE SUITE 600 DALLAS, TX 75201-2980			EXAMINER LEE, PHILIP C	
			ART UNIT 2452	PAPER NUMBER
			NOTIFICATION DATE 02/10/2009	DELIVERY MODE ELECTRONIC

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ptomail1@bakerbotts.com  
glenda.orrantia@bakerbotts.com

### Office Action Summary

**Application No.**

10/091,065

**Applicant(s)**

VINBERG, ANDERS

**Examiner**

PHILIP C. LEE

**Art Unit**

2452

– The MAILING DATE of this communication appears on the cover sheet with the correspondence address –  
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 29 October 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3-9,11 and 13-36 is/are pending in the application.
- 4a) Of the above claim(s) 21-30 is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3-9,11,13-20 and 31-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/02)  
Paper No(s)/Mail Date 1/21/09
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

1. This action is responsive to the amendment and remarks filed on October 29, 2008.
2. Claims 1, 3-9, 11, 13-20 and 31-36 are presented for examination, claims 21-30 are withdrawn from consideration, and claims 2, 10 and 12 are canceled.
3. The text of those sections of Title 35, U.S. code not included in this office action can be found in a prior office action.

*Claim Rejections – 35 USC 103*

4. Claims 1, 3-5, 9, 11, 13-15 and 33-36 rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul, U.S. Patent 6,125,390 (hereinafter Touboul) and Dev et al, U.S. Patent 6,049,828 (hereinafter Dev) in view of Jacobs, U.S. Patent 5,761,502 (hereinafter Jacobs).
5. Touboul, Dev, and Jacobs were cited in the last office action.
6. As per claims 1 and 11, Touboul taught the invention substantially as claimed for reporting the context of an alert condition, comprising:  
reporting an alert condition associated with a subject system object (col. 8, lines 10-12;  
col. 6, lines 54-61);  
analyzing the system objects associated with the alert condition to obtain the context data (col. 5, lines 7-10; col. 4, lines 39-44; col. 7, lines 40-49);

generating a context message based on the context data (col. 5, lines 7-10; col. 7, lines 40-49); and

outputting the context message (col. 8, lines 31-34; col. 14, lines 6-7, 20-23).

7. Touboul did not teach receiving, in response to the reporting of the alert condition, a user-generated dialogue request specifying context data. Dev taught receiving, in response to the reporting of the alert condition, a user-generated text-based dialogue request specifying a user defined type of context data for the subject system object (col. 8, lines 11-14; col. 15, lines 16-18; 420, fig. 10) (i.e., clicking on the condition red); and the context message responsive to the user-generated request dialogue (col. 8, lines 31-37; col. 15, lines 12-29). (dialogue request is interpreted as a user input requesting a machine response that form a “conversation”)

8. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Touboul and Dev because Dev’s teaching of a user-generated dialogue request would make it easier for user in Touboul’s system to request more information regarding an alarm condition.

9. Touboul and Dev do not teach context data for relevant system objects known to be associated with the subject system object and accessing a database to identify a group of system objects known to be associated with one another. Jacobs taught context data for the subject system object and one or more relevant system object known to be associated with the subject system object (col. 9, lines 48-54; col. 14, lines 46-52; fig. 6); accessing a database to identify a

group of system objects known to be associated with one another (col. 8, lines 5-7; col. 9, lines 9-14, 24-37; col. 14, lines 11-19); and identifying, from the group of system objects, a relevant system object that is known to be associated with the subject system object (col. 9, lines 48-54; col. 13, lines 8-63; col. 14, lines 38-53).

10. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Touboul, Dev and Jacobs because Jacobs's teaching of accessing a database to identify a group of system object known to be associated with one another would increase the alertness of network management personnel in their systems by providing a view of the current state of the network that correlates related network events (col. 2, lines 29-65).

11. As per claim 9, Touboul taught the invention substantially as claimed for reporting the context of an alert condition, comprising:

a management application processor (fig. 1) comprising:

means for reporting an alert condition associated with a subject system object (col. 8, lines 10-12; col. 6, lines 54-61);

means for analyzing the system objects associated with the alert condition to obtain context data (col. 5, lines 7-10; col. 4, lines 39-44; col. 7, lines 40-49);

means for generating a context message based on the context data (col. 5, lines 7-10; col. 7, lines 40-49); and

means for outputting the context message (col. 8, lines 31-34; col. 14, lines 6-7, 20-23).

12. Touboul did not teach means for receiving, in response to the reporting of the alert condition, a user-generated dialogue request specifying context data. Dev taught means for receiving, in response to the reporting of the alert condition, a user-generated text-based dialogue request specifying a user defined type of context data for the subject system object (col. 8, lines 11-14; col. 15, lines 16-18; 420, fig. 10) (i.e., clicking on the condition red); and the context message responsive to the user-generated request dialogue (col. 8, lines 31-37; col. 15, lines 12-29). (dialogue request is interpreted as a user input requesting a machine response that form a "conversation")

13. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Touboul and Dev because Dev's teaching of a user-generated dialogue request would make it easier for user in Touboul's system to request more information regarding an alarm condition.

14. Touboul and Dev do not teach context data for relevant system objects known to be associated with the subject system object and means for accessing a database to identify a group of system objects known to be associated with one another. Jacobs taught context data for the subject system object and one or more relevant system object known to be associated with the subject system object (col. 9, lines 48-54; col. 14, lines 46-52; fig. 6); means for accessing a database to identify a group of system objects known to be associated with one another (col. 8, lines 5-7; col. 9, lines 9-14, 24-37; col. 14, lines 11-19); and means for identifying, from the

group of system objects, a relevant system object that is known to be associated with the subject system object (col. 9, lines 48-54; col. 13, lines 8-63; col. 14, lines 38-53).

15. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Touboul, Dev and Jacobs because Jacobs's teaching of accessing a database to identify a group of system object known to be associated with one another would increase the alertness of network management personnel in their systems by providing a view of the current state of the network that correlates related network events (col. 2, lines 29-65).

16. As per claims 3 and 13, Touboul, Dev and Jacobs taught the invention substantially as claimed in claims 1 and 11 above. Touboul further taught wherein the analyzing includes determining properties of the subject system object (col. 7, lines 40-49).

17. As per claims 4 and 14, Touboul, Dev and Jacobs taught the invention substantially as claimed in claims 1 and 11 above. Touboul further taught wherein analyzing includes determining a physical location of a component represented by the subject system object (col. 4, lines 39-44).

18. As per claims 5 and 15, Touboul, Dev and Jacobs taught the invention substantially as claimed in claims 1 and 11 above. Jacobs further taught wherein analyzing includes determining

a logical relationship of a component represented by the subject system object to a component represented by the relevant system object (col. 13, lines 8-63; col. 14, lines 38-52).

19. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Touboul, Dev and Jacobs for the same reason set forth in claim 1 above.

20. As per claim 33, Touboul, Dev and Jacobs teach the invention substantially as claimed in claim 1 above. Although Dev teaches the type of user defined context data is selected from any information contained in the event message (col. 8, lines 11-19), however, Touboul, Dev and Jacobs do not specifically teach user defined context data is selected from the group consisting of location information for the subject system object, logical relationship information of the subject system object to other system objects, operational status information of the subject system object, or information regarding interest/business groups associated with the subject system object. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to include context data such as location information for the subject system object in the event message because by doing so it could notify a user where to resolve the event.

21. As per claim 34, Touboul, Dev and Jacobs teach the invention substantially as claimed in claim 1 above. Dev further teach wherein the user-generated text-based dialogue request comprises a first user-generated text-based dialogue request specifying a user defined type of context data (col. 8, lines 11-14; col. 15, lines 16-18; 420, fig. 10) (i.e., clicking on the condition



red); and further comprising: after outputting the context message, receiving a second user-generated text-based dialogue request specifying a second user defined type of context data (col. 15, lines 27-29) (by clicking on other alarm).

22. As per claim 35, Touboul, Dev and Jacobs teach the invention substantially as claimed in claim 1 above. Dev further teach wherein the user-generated text-based dialogue request textually requests the user defined type of context data (col. 8, lines 11-14; col. 15, lines 16-18; 420, fig. 10).

23. As per claim 36, Touboul, Dev and Jacobs teach the invention substantially as claimed in claim 1 above. Dev further teach wherein the context message contains the user defined type of context data specified in the request (col. 15, lines 12-29) (e.g., text fields 426 and 428 provide information (context message) to user regarding the request of the selected "Condition Red" (user-defined type of context data) alarm).

24. Claims 6 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul, Dev and Jacobs in view of Cox, U.S. Patent 6,011,838 (hereinafter Cox).

25. Cox was cited in the last office action.

26. As per claims 6 and 16, Touboul, Dev and Jacobs taught the invention substantially as claimed in claims 1 and 11 above. Touboul, Dev and Jacobs did not teach determining a traffic

load associated with the subject system object. Cox taught determining a traffic load associated with a system object (col. 3, lines 30-50).

27. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Touboul, Dev, Jacobs and Cox because Cox's teaching of determining a traffic load would increase the efficiency of Touboul's, Dev's and Jacobs's systems by minimize the amount of failure cause by overloading a system object (col. 1, lines 11-15).

28. Claims 7 and 17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul, Dev and Jacobs in view of Grace, U.S. Patent 5,748,098 (hereinafter Grace).

29. Grace was cited in the last office action.

30. As per claims 7 and 17, Touboul, Dev and Jacobs taught the invention substantially as claimed in claims 1 and 11 above. Touboul, Dev and Jacobs did not explicit teach a component that is dependent on a component represented by the subject system object. Grace taught wherein the relevant system object representing a component that is dependent on a component represented by the subject system object (col. 1, lines 40-56; col. 3, lines 5-15).

31. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Touboul, Dev, Jacobs and Grace because Grace's teaching

of relevant system object representing a component that is dependent on a component represented by the subject system object would increase efficiency of Touboul's, Dev's and Jacobs's systems by avoiding time wasted on investigating the sources of all the alert condition associated with dependent resources (col. 1, lines 40-56).

32. Claims 8 and 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul, Dev and Jacobs in view of Faigon et al, U.S. Patent 6,006,016 (hereinafter Faigon).

33. As per claims 8 and 18, Touboul taught the invention substantially as claimed for reporting the context of an alert condition, comprising:

reporting an alert condition associated with a subject system object (col. 8, lines 10-12; col. 6, lines 54-61);

analyzing the system objects associated with the alert condition to obtain context data (col. 5, lines 7-10; col. 4, lines 39-44; col. 7, lines 40-49);

generating a context message based on the context data (col. 5, lines 7-10; col. 7, lines 40-49); and

outputting the context message (col. 8, lines 31-34; col. 14, lines 6-7, 20-23).

34. Touboul did not teach receiving, in response to the reporting of the alert condition, a user-generated dialogue request requesting context data. Dev taught receiving, in response to the reporting of the alert condition, a user-generated text-based dialogue request textually requesting context data for the subject system object (col. 8, lines 31-37; col. 15, lines 12-29); and the

context message responsive to the user-generated request dialogue (col. 8, lines 31-37; col. 15, lines 12-29). (dialogue request is interpreted as a user input requesting a machine response that form a "conversation")

35. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Touboul and Dev because Dev's teaching of a user-generated dialogue request would make it easier for user in Touboul's system to request more information regarding an alarm condition.

36. Touboul and Dev do not teach context data for relevant system objects known to be associated with the subject system object and accessing a database to identify a group of system objects known to be associated with one another. Jacobs taught context data for the subject system object and one or more relevant system object known to be associated with the subject system object (col. 9, lines 48-54; col. 14, lines 46-52; fig. 6); accessing a database to identify a group of system objects known to be associated with one another (col. 8, lines 5-7; col. 9, lines 9-14, 24-37; col. 14, lines 11-19); and identifying, from the group of system objects, a relevant system object that is known to be associated with the subject system object (col. 9, lines 48-54; col. 13, lines 8-63; col. 14, lines 38-53).

37. It would have been obvious to one having ordinary skill in the art at the time of the invention was made to combine the teachings of Touboul, Dev and Jacobs because Jacobs's teaching of accessing a database to identify a group of system object known to be associated with

one another would increase the alertness of network management personnel in their systems by providing a view of the current state of the network that correlates related network events (col. 2, lines 29-65).

38. Touboul, Dev and Jacobs did not teach wherein generating includes replacing quantifiable context data with a qualitative identifier. Faigon taught wherein generating includes replacing quantifiable context data with a qualitative identifier (col. 18, lines 20, 42-45, 55-66; figs. 19 and 20).

39. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Touboul, Dev, Jacobs and Faigon because Faigon's teaching of replacing quantifiable context data with a qualitative identifier would increase the user flexibility in Touboul's, Dev's and Jacobs's systems by allowing a user to specify the severity level ranges being assigned to a severity levels.

40. Claims 19-20 and 31-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over Touboul, Dev and Jacobs in view of Fanshier et al, U.S. Patent 5,933,601 (hereinafter Fanshier).

41. Fanshier was cited in the last office action

42. As per claims 19 and 31, Touboul, Dev and Jacobs taught the invention substantially as claimed in claims 1 and 11 above. Touboul, Dev and Jacobs did not specifically detailing the

relevant system object represents a sub-component of the subject system object. Fanshier taught wherein the relevant system object represents a component that is a sub-component of a component represented by the subject system (fig. 3; col. 5, lines 15-41).

43. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Touboul, Dev, Jacobs and Fanshier because Fanshier's teaching of the relevant system object represents a component that is a sub-component of a component represented by the subject system would increase the alertness of Touboul's, Dev's and Jacobs's systems by providing the relationship of components using an object-based presentation of components executed by each of the nodes within a network in a hierarchy form (col. 1, lines 36-44).

44. As per claims 20 and 32, Touboul, Dev and Jacobs taught the invention substantially as claimed in claims 1 and 11 above. Touboul, Dev and Jacobs did not specifically detailing the relevant system object represents a grouping with the subject system object. Fanshier taught wherein the relevant system object represents a component that is in a grouping with a component represented by the subject system object (fig. 3; col. 5, lines 15-41).

45. It would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Touboul, Dev, Jacobs and Fanshier because Fanshier's teaching of the relevant system object represents a component that is in a grouping with a component represented by the subject system object would increase the alertness of Touboul's,

Dev's and Jacobs's systems by providing the relationship of components using an object-based presentation of components executed by each of the nodes within a network in a hierarchy form (col. 1, lines 36-44).

46. Applicant's arguments filed 10/29/08 have been fully considered but they are not persuasive.

47. In the remarks, applicant argued that:

- (1) Dev fails to teach "a user-generated text-based dialogue request specifying a user defined type of context data" as recited in Claim 1
- (2) Dev fails to teach "a user-generated text based dialogue request textually requesting context data for the subject system object" as recited in Claim 8
- (3) The cited references fail to teach "the user-generated text-based dialogue request textually requests the user defined type of context data" as recited in Claim 35.
- (4) The cited references fail to teach "the context message contains the user defined type of context data specified in the request" as recited in Claim 36

48. In response to points (1), (2) and (3), as stated in the previous office action, Dev teaches severity of event/alarm is defined by a user (col. 8, lines 11-14; e.g., "Condition Red" in 420, fig.

10) (i.e., user-defined type of context data). Dev further teach a user clicking (i.e., user generated) on a “Condition Red” alarm on an alarm log (i.e., in response to reporting of alert) to obtain more information (col. 15, lines 11-29). This means the user generates a request by clicking on the text indicating a “Condition Red” alarm (i.e., user generated text based request) to specify more information regarding a severity of the alarm is needed by the user (i.e., specifying a user defined type of context data). Furthermore, the user clicking to request a machine response that form a “conversation” is interpreted as “dialogue request”. Therefore, Dev teaches receiving, in response to the reporting of the alert condition, a user-generated text-based dialogue request specifying a user defined type of context data for the subject system object. Since the request to obtain more information is generated by clicking on the text of the severity of "Condition Red", therefore Dev does teach "textually requests context data". ("textually" is interpreted as in or with regard to the text of something (e.g., text of the severity of the alarm)).

49. In response to point (4), Dev teaches text fields 426 and 428 provide information (i.e., context message) to user regarding the request of the selected “Condition Red” alarm (i.e., user defined type of context data as explained in response to point (1) above). This means the provided information (i.e., context message) contains information regarding the cause of the “Condition Red” (i.e., user defined) alarm (i.e., context message contains the user defined type of context data that the user request).

50. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a). A shortened statutory period for reply to this final action



is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action. A shortened statutory period for reply to this Office action is set to expire THREE MONTHS from the mailing date of this action. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Philip C Lee whose telephone number is (571)272-3967. The examiner can normally be reached on 8 AM TO 5:30 PM Monday to Thursday and every other Friday. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Firmin Backer can be reached on (571) 272-6703. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/Philip C Lee/

Primary Examiner, Art Unit 2452

